

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:09-CR-15-01-F
No. 4:11-CV-104-F

KENYATTA SYKES,
Movant,

v.

UNITED STATES OF AMERICA,
Respondent.

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ORDER

Having concluded by order [DE-70] of November 28, 2011, that movant, Kenyatta Sykes, has failed to state a claim upon which relief may be granted and ordering his § 2255 motion dismissed, the court's careful review of the matter leads to the further conclusion that a Sykes has failed to make a showing that would justify issuance of a Certificate of Appealability. Consequently, a Certificate of Appealability is DENIED.

The Clerk of Court is DIRECTED also to maintain [DE-47] and [DE-57] under seal.

SO ORDERED.

This, the 29th day of November, 2011.



JAMES C. FOX
Senior United States District Judge